IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.12684-M of 2007

DATE OF DECISION: MARCH 1, 2007

Buta Singh

...PETITIONER

VERSUS

Jabha Singh and others

...RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.A.S.Kalra, Advocate,
for the petitioner.

...

The petitioner, who is the complainant, has filed this petition under Section 439(2) Cr.P.C. for cancellation of anticipatory bail granted to respondents No.1 to 4 in case FIR No.215 dated 15.10.2006 under Sections 323/324/354/452/148/149 IPC registered at P.S.Shahkot, District Jalandhar, by the Additional Sessions Judge, Jalandhar.

In this case, Additional Sessions Judge, Jalandhar granted anticipatory bail to the aforesaid respondents, while observing as under:-

> "Police record perused. Heard. Case u/s 323,324,354,452 I.P.C. was registered on the statement of the complainant Buta Singh against eight accused out of them four accused namely Joginder Singh, Jagga Singh, Shing Singh and Balwinder Singh have already been arrested and they were enlarged on bail. The present accused namely Jabha Singh, Shinder, Kala and Mukhtiar Singh have already joined the investigation. ASI Sukhdev Singh has come present who stated at bar that all the above said accused have joined the investigation the weapons are also recovered. He further stated that custodial interrogation of the applicants/accused is not required. Except the offence under Section 452 I.P.C. the other offences are bailable. Without commenting upon the merits of the case, the bail application of the accused/applicants Jabha Singh, Shinder,

Kala Singh and Mukhtiar Singh is allowed and the order dated 2.11.2006 is made absolute being the disposal of the case will take sufficient long time. No useful purpose will be served by sending them behind the bar. All the accused are directed to join the investigation as and when required and made the compliance under Section 438(1-2) Cr.P.C. File be consigned. Police file be returned."

After hearing the counsel for the petitioner, I do not find any ground to interfere in the said order.

Dismissed.

March 1, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE